

Notice of Allowability

Application No.

09/991,057

Examiner

Peter Poltorak

Applicant(s)

LYLE, JAMES D.

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received on 3/19/07.
2. ☒ The allowed claim(s) is/are 1,9,75,76,103 and 104.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KAMBIZ ZAND
PRIMARY EXAMINER

DETAILED ACTION

This Office Action is in response to Applicant's amendment filed on 3/19/07.

In view of applicant's remarks and amendments the previous 35 USC § 112 rejection are withdrawn. Also, as indicated in the Office Action, mailed on 1/23/06, applicant's remarks regarding claim 2 were found persuasive. Thus, in Reasons for Allowance (below) the examiner discusses only claims 75-76 and 103-104.

Examiner's Statement of Reasons for Allowance

Claims 2, 9, 75-76 and 103-104 are allowed.

The following is a statement of reasons for the indication of allowable subject matter.

Applicant invention is directed towards a system comprising a receiver and a transmitter implementing a content protection protocol.

The closest prior art: Menezes et al. (Alfred J. Menezes, Paul C. van Oorschot, Scott A. Vanstone, "Handbook of applied cryptography", 1997, ISBN: 0849385237) and Stallings (William Stallings, "Cryptography and network security", 2th edition, 1998, ISBN: 0138690170) discloses a transmitter/receiver communication and content protection. However, neither Menezes nor Stalling discloses that "the transmitter is configured to generate a pseudo-random value, the transmitter is configured to transmit the pseudo-random value over one of the communication channel and the TMDS-like to the receiver, and the receiver is configured to include the pseudo-random value as a

Art Unit: 2134

field of at least one of the count values upon determining that the decrypted result satisfies the predetermined criterion" as required by claims 75 and 103.

Introducing these limitations would not have been obvious to one of ordinary skill in the art.

The prior art, fails to anticipate or fairly suggest the limitation of applicant's independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. As a result the claimed invention is considered to be in condition for allowance as being novel and non-obvious over prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on statement of Reasons for Allowance".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571) 272-3840. The examiner can normally be reached from Monday through Thursday from 9:00 until 5:00, and every other Friday from 9:00 until 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding

Application/Control Number: 09/991,057

Page 4

Art Unit: 2134

should be directed to the Group receptionist whose telephone number is (571) 272-1600.



4/2/07



KAMBIZ ZAND
PRIMARY EXAMINER